



# PRYOR CASHMAN LLP

410 Park Avenue, New York, NY 10022 Tel: 212-421-4100 Fax: 212-326-0806

New York | Los Angeles

www.pryorcashman.com

**Eric D. Sherman**  
Partner

Direct Tel: 212-326-0862  
Direct Fax: 212-798-6394  
esherman@pryorcashman.com

August 27, 2008

**VIA FACSIMILE 212-805-4258**

Honorable Debra Freeman  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 525  
New York, New York 10007

Re: Arcon Solutions, LLC v. East 29<sup>th</sup> Street, LLC, et al.  
Case No. 08-CV 2050 (RMB)

Dear Judge Freeman:

We represent defendant East 29<sup>th</sup> Street, LLC in this case. I write pursuant to the instructions of Your Honor's law clerk, Brian Morgan. As Your Honor is aware, the Court has accepted plaintiff's August 19, 2008 letter as plaintiff's motion to compel depositions in New York and has indicated that defendant's opposition is due on or before close of business August 29, 2008. In addition, the Court has instructed plaintiff to provide reply on or before September 3, 2008. As I indicated to Mr. Morgan, the partner at my firm that oversees this matter, Todd Soloway, is out of the office (in Israel) and will not be returning to the office until Tuesday, September 2. I contacted opposing counsel, Mikhael Ann Buchanan, who refused to consent to an adjournment. Mr. Morgan asked that we first seek consent and that we if we were unable to obtain consent, we should inform the Court by letter.

Hence, defendant respectfully requests that the Court adjourn the deadline for opposition to September 8 and the date for reply to September 12. We thank the Court for its consideration.

Respectfully submitted,

Eric D. Sherman

*The deadline for defendant's opposition is extended to September 4, 2008. Reply by September 5, 2008.*

cc: Mikhael Ann Buchanan [via facsimile (305)374-5428)]

SO ORDERED: DATE: 9/2/08

DEBRA FREEMAN  
UNITED STATES MAGISTRATE JUDGE